

affirmative vote of four members. The council shall pass rules and bylaws for their government while in session. (Code 1930, art. 11, § 36; 1943, ch. 740, § 1.)

## **Article V. City Officers and Commissions.**

### **Section 16-39. City Administrator.**

There shall be a City Administrator appointed by the Mayor with the approval of the Council. He or she shall serve at the pleasure of the Mayor. His compensation shall be determined by the Council. He or she shall exercise the following duties under the supervision of the Mayor:

- A. **Administration.** The City Administrator shall:
  - 1. Attend all meetings of the Mayor and Council and provide for the recording and maintaining of minutes of meetings.
  - 2. Attest the seal of the City on all resolutions, ordinances, bonds, notes and other official documents executed by the Mayor with the authority of the Council.
  - 3. Be responsible for maintaining the minutes, ordinances, resolutions and other official records of the City.
  - 4. Assist the Mayor in the development and execution of administrative policies in the City.
  - 5. Advise the Mayor with regard to personnel matters concerning City office personnel.
  - 6. Supervise and manage the City office.
  - 7. Coordinate the City's economic and community development program within the policies established by the Mayor and Council.
- B. **Finance.** Under the supervision of the Mayor exercise the financial powers of the City and:
  - 1. Assist the Mayor in the preparation of an annual budget to be submitted to the Council.
  - 2. Supervise and be responsible for the disbursement of City monies and control expenditures to adhere to the limits of the annual budget enacted by the Mayor and Council.

3. Maintain a general accounting system for the City in such form as the Council may require, not contrary to state law.
4. Submit at the end of each fiscal year, and at such other times as the Council may require, a complete financial report to the Council through the Mayor.
5. Ascertain that all taxable property within the City is assessed for taxation.
6. Collect all taxes, special assessments, license fees, liens and all other revenues (including utility revenues) of the City, and all other revenues for whose collection the City is responsible, and receive any funds receivable by the City.
7. Have custody of all public monies belonging to or under the control of the City, except as to funds in control of any set of Trustees and have custody of all bonds and notes of the City.
8. Do such other things in relation to the fiscal or financial affairs of the City as the Mayor or the Council may require or as may be required elsewhere in this Charter. (Code 1930, art. 11, § 37; 1943, ch. 740, § 1; Res. 2-90, 1-3-90.)

Section 16-40.

(Repealed.) (Code 1930, art. 11, § 37; 1943, ch. 740, § 1; Res. 2-90, 1-3-90.)

Section 16-41.

(Repealed.) (Code 1930, art. 11, § 37; 1943, ch. 740, § 1; Res. 2-90, 1-3-90.)

Section 16-42.

(Repealed.) (Code 1930, art. 11, § 37; 1943, ch. 740, § 1; Res. 2-90, 1-3-90.)

Section 16-43. Finance commission—Composition; salary.

(Repealed.) (Code 1930, art. 11, § 38; 1943, ch. 740, § 1; Res. 7-9-74.)

Section 16-44. Same—Advisory powers as to city finances and appointments by mayor.

(Repealed.) (Code 1930, art. 11, § 38; 1943, ch. 740, § 1; Res. 7-9-74.)

#### Section 16-45. Auditor—Nominations.

There shall be an auditor for the City of Brunswick. On or before the fifteenth day of August in each year in which the mayor is elected, the mayor-elect shall send to the council a list containing the names of two or more qualified certified public accountants as nominees for the office of city auditor. (Code 1930, art. 11, § 39; 1943, ch. 740, § 1; Char. Res. 7-9-74; Char. Res. 2-93, 7-14-93.) **(Rev. 9/93)**

#### Section 16-46. Same—Appointment: oath.

On or before the fifteenth day of August in the year the mayor is elected, the mayor, with the advice and consent of the council, shall appoint one of such nominees as city auditor. Before taking office, the city auditor shall take and subscribe before the mayor an oath that he will well and truly perform the duties of his office. (Code 1930, art. 11, § 39; 1943, ch. 740, § 1; Char. Res. 7-9-74; Char. Res. 2-93, 7-14-93.) **(Rev. 9/93)**

#### Section 16-47. Same—Powers and duties; salary.

The city auditor shall make a careful examination of the books, accounts and statements of the city clerk, treasurer and collector and of such other matters relating to such offices, as the mayor and council may direct, and shall report in writing to the mayor and council the result of his examinations as soon as practical. For his services he shall receive a sum as the mayor and council may fix. The auditor is hereby authorized and empowered to require the production before him of the books, accounts and papers of the mayor and council, to examine upon oath administered by him, the mayor or any councilman or any matter touching the affairs of the mayor and council or to examine, upon oath administered by him, any person as a witness whom he may be advised has important information in regard to the conduct and acts of the mayor or councilmen in matters pertaining to their office.

He shall have power to issue process compelling such witnesses to attend before him, which shall be directed to the chief of police of Brunswick, and it shall be the duty of the chief of police to serve such process promptly. Any mayor or councilman who shall refuse to allow an examination of all the books and accounts of his office and any witness duly served with process who shall refuse to testify upon oath touching the conduct or acts of the mayor and council or as to the books, accounts and papers of such offices shall, on indictment and conviction thereof, be fined not more than five hundred dollars, in the discretion of the court; provided, however, that the examination of such books, accounts and papers shall be made in the office of the mayor and council. (Code 1930, art. 11, § 39; 1943, ch. 740, § 1; Char. Res. 2-93, 7-14-93.) **(Rev. 9/93)**

#### Section 16-48. Non-Discrimination.

The Mayor and Council of Brunswick prohibit discrimination against any employee, applicant for employment or individual with whom the Mayor and Council of Brunswick may contract for the provision of goods and services on the basis of (1) political or religious opinion or affiliation, marital status, race, color, creed, or national origin, or (2) sex or age, except when

sex or age constitutes a bonafide occupational qualification, or (3) the physical or mental handicap of a qualified handicapped individual. (Res. No. 3-88, 4-27-88.)

Section 16-49. (Repealed by Res. No. 2-88, 4-27-88.)

Section 16-50. (Repealed by Res. No. 2-88, 4-27-88.)

Section 16-51. (Repealed by Res. No. 2-88, 4-27-88.)

Section 16-52. Chief of police—Oath; term of office. (See note (6))

The chief of police of Brunswick, before entering upon the discharge of his duties, shall take the required oath. He shall hold office for four years, and until his successor has been appointed and qualified. (Code 1930, art. 11, § 41; 1943, ch. 740, § 1; Char. Res. 2-93, 7-14-93.) **(Rev. 9/93)**

Section 16-53. Same—Salary.

The chief of police of Brunswick and other police of the city shall receive such compensation as may be determined by the mayor and council. (Code 1930, art. 11, § 41; 1943, ch. 740, § 1.)

Section 16-54. Same—Appointment of assistant and other police; powers and duties of same.

The mayor of Brunswick shall appoint an assistant chief of police and such other police as urgent necessity may require, all of whom shall be vested and clothed with all the powers and authority conferred upon the chief of police by this Charter. (Code 1930, art. 11, § 41; 1943, ch. 740, § 1.)

Section 16-55. Same—Powers and duties; arrest without warrant.

The chief of police of the City of Brunswick shall be vested and clothed with all the power and authority of a sheriff at common law and with those powers which a municipality has been authorized by the State of Maryland to extend to a police force. Anyone resisting him or interfering with him in the discharge of his duties shall be guilty, upon conviction in the circuit court for Frederick County or in the District Court of Maryland for Frederick County in the same manner and to the same extent as if he had resisted or interfered with a police officer. The chief of police shall assist the mayor in the enforcement of the ordinances, and to that end, he shall have the authority to make arrests, issue citations, and take those appropriate measures to enforce the ordinances of the City. He shall be authorized to serve, deliver or post any order or notice that, under any law, ordinance of the town or this charter is to be served, delivered or posted.

He shall be authorized, as a peace officer, to maintain and preserve peace, good order and good conduct within the limits of the city and among all persons found therein.

The chief of police shall attend the meetings of the council.

The chief of police shall perform such other duties mentioned in this Charter or as the mayor and council shall assign him by ordinance or otherwise. (Code 1930, art. 11, § 41; 1943, ch. 740, § 1.)

## **Article VI. Taxation.**

### Section 16-56. Authority of city generally.

The mayor and council of Brunswick are hereby authorized to use the state and county assessment on all real and personal property within the corporate limits of the city which is subject to such assessment for state and county taxes. They shall have power to levy and collect taxes on all real and personal property in the city, not exceeding for general purposes in any one year eighty cents on each one hundred dollars of assessable property and shall also levy and collect the taxes required to meet the interest and redeem at maturity all bonds legally issued. (Code 1930, art. 11, § 44; 1943, ch. 740, § 1.)

### Section 16-57. Mayor and council may exempt hospitals, factories and charitable institutions from municipal taxation.

The mayor and council of Brunswick may, in their discretion, by general ordinance, exempt from any or all municipal taxes or other municipal charges any or all of the taxable property of any hospitals, factories or charitable institutions located within the corporate limits of the city, but any ordinance, resolution or contract which exempts any such property for a period longer than five years shall be absolutely void in all respects whatsoever. (Code 1930, art. 11, § 51; 1943, ch. 740, § 1.)

### Section 16-58. Advertisement of tax levy.

It shall be the duty of the city administrator and tax collector, as soon as the annual tax levy is made and placed in his hands for collection, to give notice by advertisement in one newspaper published or circulated in Brunswick, which notice shall state the time from which the taxes bear interest and shall warn all persons of their liability to be published as delinquent taxpayers and to have their property sold unless the taxes, with which they are respectively charged, are paid on or before the first day of January next ensuing. (Code 1930, art. 11, § 47; 1943, ch. 740, § 1; Char. Res. 2-93, 7-14-93.) **(Rev. 9/93)**

### Section 16-59. Tax bills.

The city administrator and tax collector shall, immediately after the annual tax levy is made, make out the bills of each taxpayer, to which notice similar to that provided for in the preceding section shall be annexed, and shall forward the bill by mail or otherwise to the person to whom taxes have been assessed or his agent. (Code 1930, art. 11, § 47; 1943, ch. 740, § 1; Char. Res. 2-93, 7-14-93.) **(Rev. 9/93)**